

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MYRDUS ARCHIE,  
*aka Mary Smith,*

Petitioner,

vs.

SHERYL FOSTER, *et al.*,

Respondents.

2:10-cv-01968-RLH-RJJ

**ORDER**

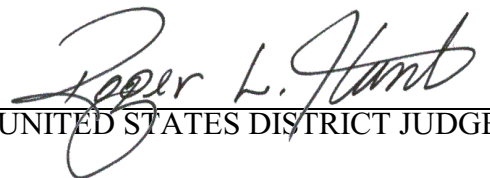
This is a habeas corpus case pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding with the representation of counsel. On January 24, 2011, the court appointed the Federal Public Defender for the District of Nevada (FPD) to represent petitioner. (ECF No. 8.) On January 27, 2011, the FPD filed a notice of conflict with the court stating that it was unable to represent petitioner. (ECF No. 9.) Accordingly, on January 27, 2011, the court appointed Beau Sterling to represent petitioner. (ECF No. 10.) In its January 24, 2011 order, the court ordered petitioner's counsel to file an amended petition within ninety days of the date of the order. No amended petition has been filed.

**IT IS THEREFORE ORDERED** that petitioner's counsel shall, within **thirty days** of the date of service of this order: (1) **SHOW CAUSE**, in writing, why he should not be sanctioned for

1 failing to file an amended petition; and (2) **FILE AND SERVE** a First Amended Petition for Writ of  
2 Habeas Corpus. The First Amended Petition shall include all known grounds for relief (both  
3 exhausted and unexhausted). Respondents shall have forty-five (45) days after service of the First  
4 Amended Petition within which to answer, or otherwise respond to the same. If an answer is filed,  
5 petitioner shall have forty-five (45) days from the date of service of the answer to file a reply.

6 **IT IS FURTHER ORDERED** that this scheduling order supersedes any prior such orders.

7  
8 DATED this 14<sup>th</sup> day of June, 2011.

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11 UNITED STATES DISTRICT JUDGE